

REMARKS/ARGUMENTS

1. Summary of the Office Action

Claims 1-14 stand rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over U.S. Patent No. 6,415,323 (hereinafter “McCanne”).

2. Response to 35 U.S.C. § 102(e) Rejections

In response to the above Office Action, the Applicants have amended the claims and respectfully request reconsideration thereof. All the amendments are supported by the specification as originally filed ([0077], lines 8-9, Figure 4), and accordingly, no new matter has been added.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 1, as amended, includes the feature of “advertising a route to the anycast address with a route to the unicast address”. Such an element of the amended claim is simply not found in McCanne. McCanne discusses a proximity-oriented redirection system for service-to-client attachment in a virtual overlay distribution network. However, McCanne fails to teach or suggest the process of advertising a route to an anycast address with a unicast routing address. At best, McCanne only discloses an address redirection mechanism whereby when “a client contacts an anycast referral node via the anycast service, the referral node redirects the client to a normally-addressed and routed (unicast) service node” (Col. 10, lines 40-43). Indeed, because McCanne uses a referral nodes to redirect the client to the unicast service node, it is unnecessary for McCanne to advertise a route to the anycast address with the unicast address. For at least these reasons, Claim 1 and its dependent claims are patentable over McCanne.

Independent claims 7 and 9 include the feature of advertising a route to an anycast address with a route to a unicast address. In view of the remarks above, it is also submitted that McCanne does not anticipate these claims. Accordingly, claims 7, 9 and their dependent claims are also allowable for at least the reasons stated above.

3. Conclusion

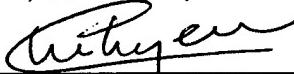
Having tendered the above remarks and amended the claims as indicated herein, the Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Jaina Chua at (408) 947-8200 ext. 213.

Respectfully Submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 17, 2004



Chze Koon Chua
Reg. No. 53,831

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8200